

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

RPM Performance Coatings Group, Inc.)	
and Stonhard, a division of StonCorp)	
Group, Inc.,)	
)	
Plaintiffs,)	
vs.)	Case No. 12-1392-CV-W-FJG
)	
William G. Fredrick,)	
)	
Defendant.)	

ORDER

Pending before the Court is plaintiffs' Request and Motion for Entry of Default (Doc. No. 17). The Court's file reflects the Complaint was filed on November 26, 2012, and that personal service was accomplished on November 29, 2012. To-date, the defendant has failed to answer or otherwise respond to the plaintiffs' Complaint, and the time for doing so under Rule 4 of the Federal Rules of Civil Procedure has expired. On December 28, 2012, the Court ordered defendant to show cause writing on or before January 9, 2013, why an entry of default should not be made against him pursuant to Rule 55(a) of the Federal Rules of Civil Procedure. Defendant was cautioned that failure to respond to this order could lead to default being entered against him without further notice. Despite this order, defendant has failed to respond.

Accordingly, plaintiffs' request and motion for entry of default (Doc. No. 17) is **GRANTED**. Plaintiffs are **ORDERED** to file a motion for default judgment pursuant to Rule 55(b) of the Federal Rules of Civil Procedure on or before **FEBRUARY 1, 2013**. Plaintiffs' motion shall set out in detail the damages and other relief they believe they are entitled to, and plaintiffs shall provide a proposed order on default judgment to Rhonda Enss,

Courtroom Deputy Clerk, at rhonda_enss@mow.uscourts.gov .

Furthermore, as defendant is in default and plaintiffs' requested relief can be granted in an order on default judgment, the Court finds that the preliminary injunction hearing set for Friday, January 11, 2013 at 9:30 a.m. is unnecessary. Therefore, said hearing will be **CANCELLED**.

It is **FURTHER ORDERED** that the clerk of the court mail a copy of this Order via regular and certified mail to defendant at the following address: William Fredrick, 1003 NE Clear Creek Dr., Grain Valley, MO 64029-9182.

IT IS SO ORDERED.

Dated: January 10, 2013
Kansas City, Missouri

/s/Fernando J. Gaitan, Jr.
Fernando J. Gaitan, Jr.
Chief United States District Judge